

1294
VIRGINIA:

BK 1025PG0396

1410

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 04-1214-1365

ELECTIONS: UNIT AV-127
(herein "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:
TAX MAP IDENTIFICATION
NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE
SHOWN ON EXHIBIT A page 2;
WHICH IS/ARE ATTACHED TO AND A
PART OF THIS ORDER.

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously executed in the captioned matter on July 21, 2005 which was recorded at Deed Book 946, Page 988 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on July 26, 2005, and also recorded at Deed Book 635, Page 540 and in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on July 25, 2005 (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit AV-127;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, N.A., VA7515, P.O. Box 14061, Roanoke, VA 24038, Attn: Judy Barger or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the

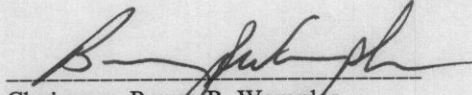
information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

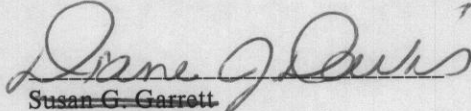
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 20th day of March, 2008, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

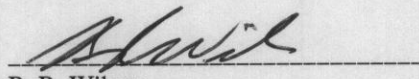
STATE OF VIRGINIA
COUNTY OF ~~WISE~~ Washington

Acknowledged on this 20th day of March, 2008, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary 174394

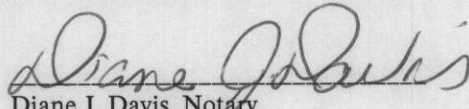
My commission expires: 9/30/09.

DONE AND PERFORMED THIS 20th day of March, 2008, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 20th day of March, 2007, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: 9/30/09.

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit AV-127
VGOB 04-1214-1365 in the Maiden Springs & New Garden Districts of Tazewell and Russell Counties,
Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager - Environmental /
Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the
designated operator,

That the Order entered on July 21, 2005, by the Virginia Gas and Oil Board (hereinafter "Board")
regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order
to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above,
your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to
each Respondent named in the captioned Application, whose address was known, and to all persons, if any,
who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has
previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at
Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their
written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the
counties identified above; that said Order was recorded on July 26, 2005 and July 25, 2005 respectively;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail
received and all written documents received other than by mail to ascertain whether parties whose interests
have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that
said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the
following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day
elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have
leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of
July 20, 2004;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

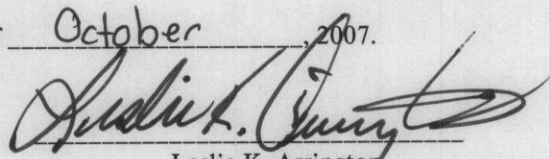
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

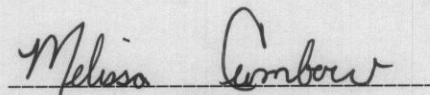
None

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

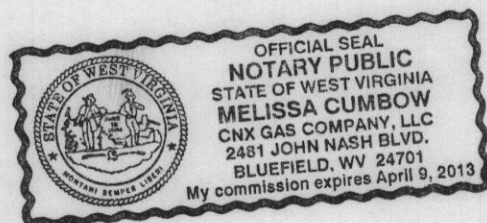
Dated at Mercer, West Virginia, this 24th day of October, 2007.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental / Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 24th day of October, 2007.


Notary

My commission expires: April 9, 2013



PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED
BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

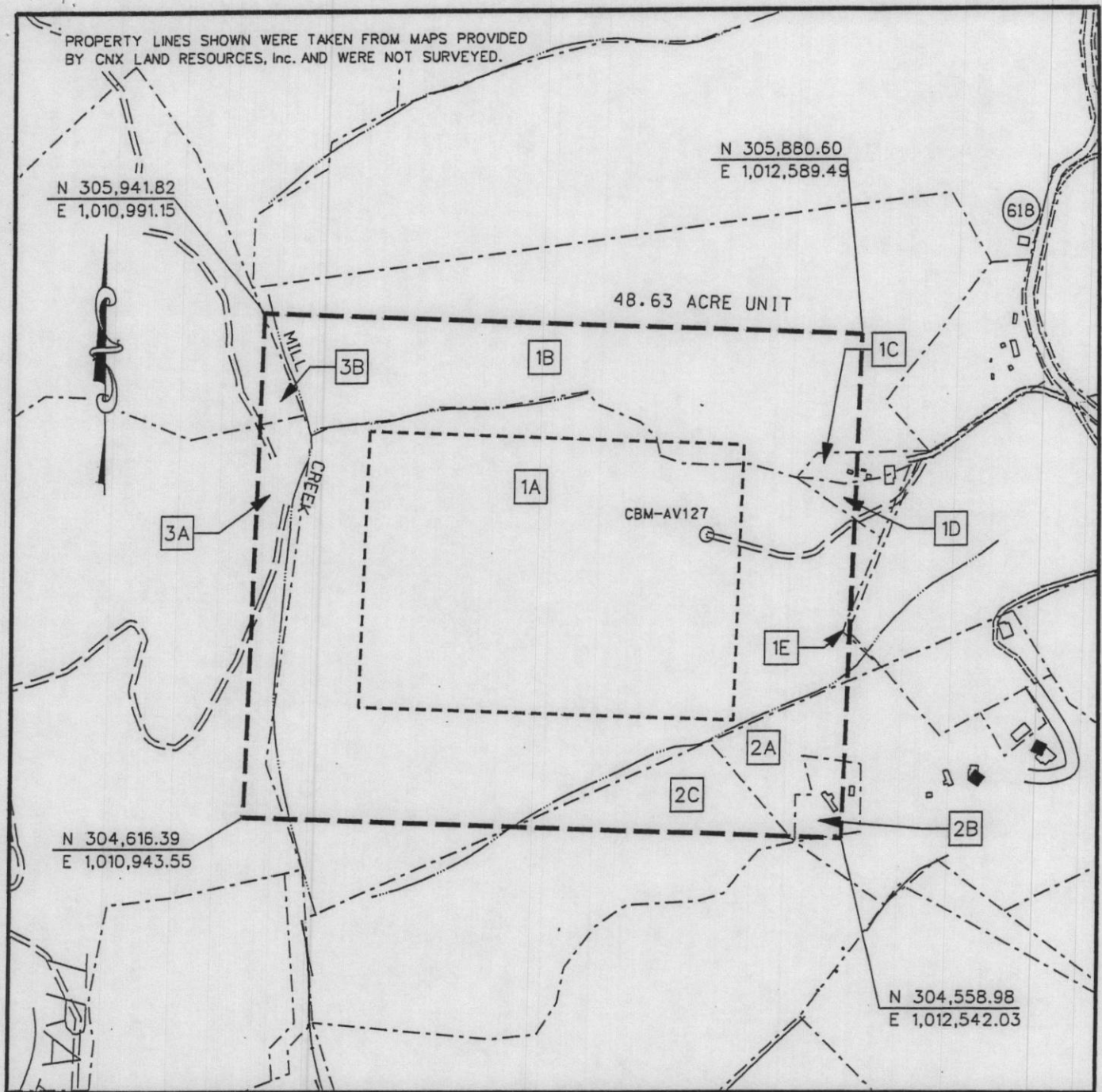


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT AV-127
FORCE POOLING
VGOB-04-1214-1365

Company CNX Gas Company LLC Well Name and Number UNIT AV127
Tract No. _____ Elevation _____ Quadrangle Honaker
County Tazewell/Russell District Maiden Springs/New Garden Scale: 1" = 400' Date 4/1/04
This plat is a new plat X ; an updated plat _____ ; or a final plat _____
Form DGO-GO-7 Claude O. Morgan 10958 (Affix Seal)
Rev. 9/91 Licensed Professional Engineer or Licensed Land Surveyor

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CNX Gas Company LLC

UNIT AV-127

Tract Identifications

- 1A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC - Surface and All Minerals except Coal
(Tax Map 84 Parcel 13)
31.56 acres 64.8982%
- 1B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Buford E. Short, et ux - Surface and All Minerals except Coal
(Tax Map 84 Parcel 12)
9.84 acres 20.2344%
- 1C. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
John McClanahan, et ux - Surface and All Minerals except Coal
(Tax Map 84 Parcel 18)
0.22 acres 0.4524%
- 1D. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
John McClanahan, et ux - Surface and All Minerals except Coal
(Tax Map 84 Parcel 17)
0.17 acres 0.3496%
- 1E. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 40 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Carol Sims, et vir - Surface and All Minerals except Coal
(Tax Map 84 Parcel 20)
0.01 acres 0.0206%

BK 1025PG0402

CNX Gas Company LLC

UNIT AV-127

Tract Identifications

- 2A. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 21 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Gladys Salyers - Surface and All Minerals except Coal
(Tax Map 84 Parcel 22)
1.56 acres 3.2079%
- 2B. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 21 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Dale Salyers, et ux - Surface and All Minerals except Coal
(Tax Map 84 Parcel 24)
0.51 acres 1.0487%
- 2C. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 21 - Coal Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Jackie Davis, et ux - Surface and All Minerals except Coal
(Tax Map 84 Parcel 25)
2.03 acres 4.1744%
3. Coal Mountain Mining Co. Limited Partnership, LLP Tr. 41 - All Minerals Reserve Coal Properties Company - Below Drainage Coal Leased
Knox Creek Coal Corporation - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
(Tax Map 84 Parcel 15)
2.73 acres 5.6138%
- 3A. Hubert Short, et ux - Surface (Tax Map 84 Parcel 15)
3B. Edward S. Miller, et ux - Surface (Tax Map 84 Parcel 14)

Exhibit B-3
Unit AV-127
Docket #VGOB 04-1214-1365
List of Unleased Owners/Claimants
(48.63 Acre Unit)

BK 1025PG0403

	Acres in Unit	Interest in Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #1B, 9.84 acres</u>		
(1) Buford E. Short, et ux. 3929 Road Ridge Turnpike Raven, VA 24639	9.84 acres	20.2344%
<u>Tract #1C, 0.22 acres</u>		
(1) John McClanahan, et ux. 104 Stella Lane Raven, VA 24639	0.22 acres	0.4524%
<u>Tract #1D, 0.17 acres</u>		
(1) John McClanahan, et ux. 104 Stella Lane Raven, VA 24639	0.17 acres	0.3496%
<u>Tract #1E, 0.01 acres</u>		
(1) Carol Sims, et vir. 511 Pagewood Drive Newport News, VA 23602	0.01 acres	0.0206%
<u>Tract #2A, 1.56 acres</u>		
(1) Gladys Salyers 368 Stella Lane Raven, VA 24639	1.56 acres	3.2079%
<u>Tract #2B, 0.51 acres</u>		
(1) Dale Salyers 484 Stella Lane Raven, VA 24639	0.51 acres	1.0487%
<u>Tract #2C, 2.03 acres</u>		
(1) Jackie Davis, et ux. Rt.1 Box 16C Raven, VA 24639	2.03 acres	4.1744%

Exhibit E
Unit AV-117
Docket #VGOB 04-0720-1307
List of all conflicting Owners/Claimants
(49.86 Acre Unit)

EX 1025PG0404

	Acres in Unit	Interest in Unit
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Note: Only 25.9124% of the conflicting owners P3 seam ownership will be escrowed, not the entire tract.

Tract #5, 0.23 acres

COAL FEE OWNERSHIP

(2) Myrtle Donohoe Dye Heirs, Devisees, Successors or Assigns (Pocahontas Seam)	0.23 acres	0.4613%
(a) James R. Grace 1812/8 Breckenridge Court Abingdon, VA 24211	0.00 acres 1/3 of 0.23 acres	0.0000%
(b) Bill & Helen McReynolds 151 Star Lake Dr. Hawthorne, FL 32640	0.00 acres 1/3 of 0.23 acres	0.0000%
(c) Peggy Arnett 2590 Lester Court Mansfield, OH 44903	0.00 acres 1/3 of 0.23 acres	0.0000%

OIL & GAS FEE OWNERSHIP

(1) H.C. Bostic Coal Company P.O. Box 220 Swords Creek, VA 24649	0.23 acres	0.4613%
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Tract #6, 4.62 acres

Escrow due to Unknown / Unlocatable

COAL FEE OWNERSHIP

(1) Fred Dye, et al. (Charles & Dora Dye Heirs, Devisees, Successors or Assigns)	4.62 acres	9.2659%
(3) Fred Dye Heirs, Devisees, Successors or Assigns		
(d) Hestor Dye Horton Heirs, Devisees, Successors or Assigns		
(d.4) Michael Hughs Address Unknown	0.0070 1/660 of 4.62 acres	0.0140%
(d.5) Jackie Hughs Address Unknown	0.0070 1/660 of 4.62 acres	0.0140%
(k) Darlene Dye Address Unknown	0.0350 1/132 of 4.62 acres	0.0702%

Exhibit E
Unit AV-117
Docket #VGOB 04-0720-1307
List of all conflicting Owners/Claimants
(49.86 Acre Unit)

BK1025PG0405

	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Fred Dye, et al. (Charles & Dora Dye Heirs, Devisees, Successors or Assigns)	4.62 acres	9.2659%
(3) Fred Dye Heirs, Devisees, Successors or Assigns		
(d) Hestor Dye Horton Heirs, Devisees, Successors or Assigns		
(d.4) Michael Hughs Address Unknown	0.0070 1/660 of 4.62 acres	0.0140%
(d.5) Jackie Hughs Address Unknown	0.0070 1/660 of 4.62 acres	0.0140%
(k) Darlene Dye Address Unknown	0.0350 1/132 of 4.62 acres	0.0702%

INSTRUMENT #080001410
RECORDED IN THE CLERK'S OFFICE OF
TAEWELL COUNTY ON
APRIL 2, 2008 AT 01:01PM
Angela O'Ray
JAMES E. BLEVINS, CLERK
RECORDED BY: ADR